

Because right whales are critically endangered and their numbers are declining, protecting them is of paramount importance, even if shifting routes results in increased costs to commercial ship traffic.

The United States has both the obligation and the authority under its domestic laws to regulate ship traffic entering U.S. ports.

In its PARS analysis the Coast Guard should, at the outset, analyze all of the routing measures that were put forth by the National Marine Fisheries Service in its Advanced Notice of Proposed Rulemaking last fall, not just Cape Cod Bay, as suggested in the Federal Register notice.

The Coast Guard should also consider expanded protection, beyond the times and areas suggested in the Advanced Notice of Proposed Rulemaking. Specifically, they should consider routing measures to protect whales within the Cape Cod Bay Critical Habitat as well as the adjacent area called "off Race Point" from December through May of each year, to protect right whales as they enter and leave this vitally important area.